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**TITLE 326 AIR POLLUTION CONTROL DIVISION**

**Proposed Rule**  
LSA Document #19-576

**DIGEST**

Amends [326 IAC 5-1-8](#) concerning a temporary alternative opacity limitation (TAOL) for BP Whiting Refinery located in Lake County, Indiana. Effective 30 days after filing with the Publisher.

**HISTORY**

First Notice of Comment Period: November 20, 2019, Indiana Register (DIN: [20191120-IR-326190576FNA](#)).

Second Notice of Comment Period: February 10, 2021, Indiana Register (DIN: [20210210-IR-326190576SNA](#)).

Notice of First Hearing: February 10, 2021, Indiana Register (DIN: [20210210-IR-326190576PHA](#)).

Date of First Hearing: May 12, 2021.

**PUBLIC COMMENTS UNDER [IC 13-14-9-4.5](#)**

[IC 13-14-9-4.5](#) states that a board may not adopt a rule under [IC 13-14-9](#) that is substantively different from the draft rule published under [IC 13-14-9-4](#), until the board has conducted a third comment period that is at least 21 days long. Because this proposed rule is not substantively different from the draft rule published on February 10, 2021, at DIN: [20210210-IR-326190576SNA](#), the Indiana Department of Environmental Management (IDEM) is not requesting additional comment on this proposed rule.

**SUMMARY/RESPONSE TO COMMENTS FROM THE SECOND COMMENT PERIOD**

IDEM requested public comment from February 10, 2021, through March 12, 2021, on IDEM's draft rule language. No comments were received during the second comment period.

**SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING**

On May 12, 2021, the Environmental Rules Board (board) conducted the first public hearing/board meeting concerning the development of amendments to [326 IAC 5-1-8](#). No comments were made at the first hearing.

**[326 IAC 5-1-8](#)**

SECTION 1. [326 IAC 5-1-8](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 5-1-8](#) Site-specific temporary alternative opacity limitations**

Authority: [IC 13-14-8](#); [IC 13-17-3](#)

Affected: [IC 13-17](#)

Sec. 8. (a) If the commissioner has approved a temporary alternative opacity limitation for a source in accordance with section 3(d) of this rule, the source may comply with the site-specific temporary alternative opacity limitations applicable to the source in accordance with this section.

(b) In accordance with section 3(d) of this rule, Indiana Michigan Power Company (dba American Electric Power) Rockport Units #1 and #2, located in Spencer County, when burning fuels identified in section 3(d)(1) of this rule shall comply with the following temporary alternative opacity limitations:

- (1) When building a new fire in a boiler, opacity may exceed the applicable limitation established in section 2 of this rule for a period not to exceed a total of two (2) hours (twenty (20) six (6) minute averaging periods) during the startup period, or until the flue gas temperature reaches two hundred fifty (250) degrees Fahrenheit at the inlet of the electrostatic precipitators, whichever occurs first.
- (2) When shutting down a boiler, opacity may exceed the applicable limitation established in section 2 of this rule once the flue gas temperature has dropped below two hundred fifty (250) degrees Fahrenheit at the inlet of the electrostatic precipitators for a period not to exceed a total of one and one-half (1.5) hours (fifteen (15) six (6) minute averaging periods) during the shutdown period.

(c) As an alternative to complying with the opacity limitations in section 3 of this rule, BP Products North America, Inc. (BP), source ID 089-00453, may comply with the following temporary alternative opacity limitation requirements for the fluidized catalytic cracking units (FCU) 500 and FCU 600:

- (1) During periods of startup, shutdown, or hot standby at unit FCU 500 or FCU 600, BP shall maintain the inlet velocity to the primary internal cyclones of the respective catalytic cracking unit catalyst regenerator at or above twenty (20) feet per second.
- (2) BP shall demonstrate compliance with this subsection as follows:
  - (A) Collect the volumetric flow rate from the catalyst regenerator, in actual cubic feet per minute (acfm), and determine the average flow rate for:
    - (i) each hour; or
    - (ii) the duration of the event for events lasting less than one (1) hour.
  - (B) Determine the cumulative cross-sectional area of the primary internal cyclone inlets in square feet by one (1) of the following methods:
    - (i) Use design drawings of the primary internal cyclones to determine the inlet cross-sectional area of each primary internal cyclone, and sum the cross-sectional areas for all primary internal cyclones in the catalyst regenerator.
    - (ii) If all primary internal cyclones are identical, determine the inlet cross-sectional area of one (1) primary internal cyclone using design drawings and multiply the area by the total number of primary internal cyclones in the catalyst regenerator.
  - (C) Calculate the inlet velocity to the primary internal cyclones in feet per second by:
    - (i) dividing the average volumetric flow rate (in acfm) by the cumulative cross-sectional area of the primary internal cyclone inlets in square feet; and
    - (ii) converting to feet per second.
  - (D) Maintain the inlet velocity to the primary internal cyclones at or above twenty (20) feet per second for:
    - (i) each hour during the startup, shutdown, or hot standby event; or
    - (ii) the duration of the event for events lasting less than one (1) hour.
- (3) BP shall document compliance with the alternative in this subsection by maintaining the following records:
  - (A) Records of flow rates, including the:
    - (i) volumetric flow rate from the catalyst regenerator (in acfm);
    - (ii) average flow rate for each hour; and
    - (iii) average flow rate during an event for events lasting less than one (1) hour.
  - (B) The cumulative cross-sectional area of the primary internal cyclone inlets in square feet.
  - (C) The inlet velocity to the primary internal cyclones in feet per second.
  - (D) Records demonstrating compliance with applicable requirements of 40 CFR 63, Subpart UUU, Table 41\* for the continuous parameter monitoring systems used to demonstrate compliance.
  - (E) The results of each inspection, calibration, and validation check for the continuous parameter monitoring systems used to demonstrate compliance.
  - (F) Actions taken to minimize emissions in accordance with 40 CFR 63.1570(c)\* and any corrective actions taken to return the affected unit to its normal or usual manner of operation.
  - (G) The date, time, and duration of each startup, shutdown, or hot standby event.

\*These documents are incorporated by reference. Copies may be obtained from the Government Publishing Office, [www.gpo.gov](http://www.gpo.gov), or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana, 46204.

(Air Pollution Control Division; [326 IAC 5-1-8](#); filed Nov 6, 2014, 10:00 a.m.: [20141203-IR-326120392FRA](#))

#### [Notice of Public Hearing](#)

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